

OCIO-14-02

Email Retention Policy

Policy #	OCIO-14-02	Effective Date	03/01/2017	Email	HelpDesk@bart.gov
Version	1.0	Contact	OCIO	Phone	510-464-7208

PURPOSE

This E-mail Retention Policy shall apply to employees, contractors, and others related to the District who create, send, or receive e-mail messages. This document specifies the policy and procedures associated with e-mail, archives, and the final disposal of e-mail. All employees should familiarize themselves fully with the following e-mail retention policy.

SCOPE

Policy Statement

District personnel should use e-mail as a medium for communication and a means of transmission of messages or information. Where an e-mail contains content requiring a longer retention period or documents are attached to e-mail; District personnel should take all steps necessary to preserve the e-mail or attached document(s) outside of the e-mail system.

Inclusion

This policy covers all e-mails sent or received including the e-mail body, attachments, headers, and hidden information.

The policy applies to the retention management of the following areas related to District e-mail accounts:

- 1) The default system folders within the e-mail solution which include inbox, draft, and sent items folders and any user folders created under the system default folders.
- 2) The deleted items and junk email folders, the part of the system housing e-mail deleted by the end user and e-mail identified as spam via the spam filtering process.
- 3) The solutions that provide e-mail for journaling such as Source1 or similar.
- 4) User created folders associated with the root of the e-mail mailbox.

Exclusion

This retention policy is not a records and information management retention policy. District records must continue to be maintained in accordance with current policies and procedures. Any e-mail containing information or an attachment which must be maintained as a District record shall be maintained independent of the e-mail.

POLICY

User Responsibility

Users should not use e-mail to store important or official District records. Where official records are required to satisfy a particular purpose or retention period, users are expected to follow the applicable records retention policy and procedures and generate a copy or other permanent unalterable form of recording other than e-mail to preserve the record. The types of documents include, but are not limited to, internal policies, official correspondence, contracts, real estate

related documents, personnel files, and other District documents which must otherwise be maintained for greater than six (6) months.

Users are required to recognize the need to protect confidential data and follow all guidelines and record retention policies to protect District records.

This policy includes, but is not limited to:

- Removal of personal and transitory messages from e-mail system of record on a scheduled basis, and
- Coordinate disposition of e-mail that are considered records to ensure that retention requirements are met.

District IT Department Support Responsibility

E-mail in inbox, sent items, drafts, deleted items, junk e-mail and user created folders will be managed by the District's Information Systems staff through an automated process as described below.

Execution of Retention Policy

1. E-mail in deleted items and junk e-mail folders within the user's mailbox shall be destroyed 48 hours following receipt of the junk e-mail or deletion of the e-mail. E-mail will be automatically removed from these folders by the District's Office of the CIO.
2. E-mail in the inbox, sent items and drafts folders within the user's mailbox will be removed ninety (90) days after the e-mail is received, sent, or drafted. E-mail will be automatically removed from these views by the Office of the CIO and is retained in the e-mail journal until the agreed upon retention period of five (5) years from creation date.
3. E-mail placed in user created folders associated with the root mailbox are removed two (2) years after receipt or sending of the e-mail. E-mail will be automatically removed by the Office of the CIO.
4. E-mail designated as subject to a legal hold are retained until the legal hold is lifted and confirmed by General Counsel before destruction.
5. E-mail will be permanently removed through an automatic retention policy from the near-line solution five (5) years after the initial journal date which is the e-mail creation date. When this occurs the e-mail and any attachments will be permanently deleted and can no longer be retrieved from any District source.

E-mail Retention Schedule Table

E-mail will be managed by the District's Office of the CIO through an automated process, as described below:

E-MAIL	RETENTION PERIOD	METHOD OF REMOVAL
E-mail in deleted items and junk e-mail folders	Removed 2 days (48 hours) after the e-mail enters the deleted items or junk e-mail folders.	Automatic removal by the District's Office of the CIO.
E-mail in the inbox, sent items, and drafts folders and any user created folders associated with these default system folders.	Removed ninety (90) days after receipt or sending of the e-mail.	Automatically removed by the District's Office of the CIO.
E-mail in user created folders associated with the root of the mailbox	Removed two (2) years after receipt or sending of the e-mail. Users must create permanent record.	Automatically removed by the District's Office of the CIO.
E-mail subject to a legal hold	Not destroyed until legal hold is lifted and deletion confirmed by designated representative of the Office of the General Counsel.	Office of the General Counsel removes legal hold. E-mail destroyed based on published e-mail retention policy.
All e-mail received and sent by BART	Journalized for legal discovery purposes – removed after 5 years.	Automatic removal by the District's Office of the CIO from the Journal.

Permanent and Accessible Individual Account E-mail Archival

Permanent and accessible individual account e-mail archival is not available for any e-mail message. The District's e-mail solution should not be considered nor treated as a document management or records management system.

Legal Holds

Certain categories of documents, including e-mails, may be required to be preserved as a result of litigation, California Public Records Act and/or other legal requests for documents. The Office of the General Counsel and the District Secretary's office may designate to the District Office of the CIO the users e-mails affected and /or the categories of e-mail to be preserved and the Office of the CIO shall be responsible for ensuring compliance. All e-mail categories designated for hold shall continue to be preserved until released by the designated member of the Office of the General Counsel.

Enforcement

Records shall automatically be deleted in accordance with this policy and all District personnel and e-mail account holders shall comply with this policy.

Responsibility for this Policy

The Information Systems department is responsible to ensure the efficient use of systems according to this policy. Where issues arise, the Office the CIO will deal directly with the employee (and notify their manager where appropriate). The interpretation of appropriate use and future revisions of this policy are the responsibility of the District's Office of the CIO.

Questions about the e-mail retention policy should be addressed to the Office of the CIO.